United Nations S/2015/804

Security Council

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20 October 2015

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Letter dated 19 October 2015 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 16 July 2015 from the Secretary-General of the Frente Polisario, Mohammed Abdelaziz, addressed to the Secretary-General of the United Nations (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Jeremiah Nyamane Kingsley **Mamabolo**
Ambassador and Permanent Representative of
the Republic of South Africa

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Annex to the letter dated 19 October 2015 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General

On behalf of the Saharawi Government and the Polisario Front, I am writing to draw your attention to the most recent development in Morocco's long record of illegal exploration and exploitation of the natural resources of Western Sahara.

An Ireland-based company, San Leon Energy, in cooperation with Morocco's State-owned Office National des Hydrocarbures et des Mines (ONHYM), plans to commence drilling in August 2015 at the onshore well in Tarfaya, El Aaiun-4, in the occupied territory of Western Sahara, to determine if there are commercial quantities of hydrocarbon resources in the area.

These activities, pursuant to licences granted by Morocco's ONHYM, constitute a serious violation of international law and of the permanent sovereignty of the Saharawi people over their own natural resources, and run the risk of undermining any new efforts by the Personal Envoy of the Secretary-General for Western Sahara, Christopher Ross, to find a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara, in accordance with Security Council resolutions.

Western Sahara is not part of Morocco. It is a Non-Self-Governing Territory under the Charter of the United Nations awaiting a process of decolonization. Morocco's presence in the Territory is the result of an illegal invasion and subsequent illegal occupation, as confirmed in General Assembly resolutions 34/37 and 35/19 that assert that Morocco is the occupying power of Western Sahara and that the United Nations has never recognized it as administering power of the territory.

As an occupying power, the Kingdom of Morocco and its government agencies and corporations have no legal competence to enter into agreements and/or grant exploration and development licences with respect to Western Sahara's natural resources. The International Court of Justice confirmed in 1975 that there are no sovereign ties between Morocco and Western Sahara, and, in fact, no country has recognized Morocco's sovereignty over any part of Western Sahara, thus further underlining the illegality of any attempt by Morocco to enter into agreements with foreign interests for the purpose of exploiting Western Sahara's natural resources.

As Western Sahara is a recognized Non-Self-Governing Territory under the Charter of the United Nations, the people of Western Sahara have the sovereign right to control their natural resources, as affirmed by the United Nations legal opinion of 29 January 2002, provided to the Security Council in response to its request for an opinion on the legality of Moroccan efforts to enter into contracts with foreign entities for the exploration of the mineral resources in Western Sahara, which stated that "if further exploration and exploitation activities were to proceed in disregard of the interests and wishes of the people of Western Sahara, they would be in violation of the principles of international law applicable to mineral resource activities in Non-Self-Governing Territories" (see S/2002/161, para. 25).

Neither Morocco nor San Leon Energy has sought to contact, inform or seek authorization for its ongoing and proposed activities from the SADR Government, the only recognized sovereign authority of the Territory and representative of the

Saharawi people of Western Sahara. Without seeking the consent of the people of Western Sahara and ensuring that the planned activities will directly benefit the people in the Territory, San Leon Energy has failed to satisfy the basic requirement of international law on the exploitation of the natural resources of a Non-Self-Governing Territory.

The ongoing exploitation of the natural resources of Western Sahara by Morocco and the complicit foreign entities is in breach of the Saharawi people's permanent sovereignty over their natural resources and the sacred trust owed to them under Article 73 of the Charter of the United Nations to ensure that the interests of the inhabitants of a Non-Self-Governing Territory are paramount. To this end, the SADR Government, as the internationally recognized representative of the Saharawi people, reserves the right to use all available means, including legal avenues, to prevent and seek reparation in respect of any unauthorized activities relating to the natural resources of Western Sahara.

Given the clarity of the applicable law on this matter, and in the light of the detrimental impact that the actions of Morocco and San Leon Energy could have on the implementation of Security Council resolutions, we urgently request that the Secretary-General condemn these activities, which are in clear violation of international law, and call on Morocco and the complicit foreign companies to stop the illegal exploitation of the natural resources of Western Sahara.

We believe it is the responsibility of the States Members of the United Nations to fulfil their obligations under Chapter XI of the Charter of the United Nations, and for the United Nations to take all necessary measures to stop the illegal plunder of the natural resources of Western Sahara. If these measures are not taken, then the illegal exploration and exploitation of the Territory's resources will further undermine the long-standing efforts of the United Nations to reach a peaceful solution that will provide for the self-determination of the people of Western Sahara, as required by numerous Security Council resolutions.

(*Signed*) Mohammed **Abdelaziz**
Secretary-General of the Frente POLISARIO
President of the Saharawi Arab Democratic Republic

United Nations A/ES-10/697–S/2015/805

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Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventieth year

Identical letters dated 19 October 2015 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

The situation on the ground in Occupied Palestine, including East Jerusalem, is deteriorating at an alarming rate owing to the escalation of Israel's latest campaign of military aggression against the Palestinian people. Over the past 19 days, the occupying Power has intensified its attacks against Palestinian civilians and destructive actions in Palestinian land in grave breach of international law, including international humanitarian law and the relevant provisions regarding the protection of civilians in armed conflict, and in grave breach of the prohibitions against reprisals and collective punishment against the civilian population under occupation.

In this regard, Palestinian civilian casualties are mounting as a result of this brutal and criminal Israeli onslaught, with numerous Palestinians dead and injured by the occupying forces in recent days. Since this most recent Israeli aggression began 19 days ago, 46 Palestinians have been killed and more than 1,800 Palestinians have been injured, including hundreds of children. We thus reiterate our urgent appeal to the international community, including the Security Council, to take all necessary measures to provide the defenceless and occupied Palestinian civilian population with protection and to immediately act to compel a halt to the occupying Power's violations of international law, including humanitarian and human rights law.

The international community must condemn and reject the fact that Israel, the occupying Power, not only allows its occupying forces to use excessive and indiscriminate force against the Palestinian civilian population with impunity but also allows and encourages all Israeli citizens and settlers to carry weapons and roam the occupied land as they wish, creating de facto militia forces that are gravely threatening the safety and well-being of the Palestinian people. This has obviously added another layer of oppression and fear to spread among our people as incitement by Israeli officials and the Israeli public in general aimed at harming

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Palestinians has become rampant, as is the culture of impunity for any Israeli who commits crimes against Palestinians.

The following are some of the many crimes perpetrated by the Israeli occupying forces and terrorist settlers against the Palestinian people in recent days:

On 14 October 2015:

- Ahmed Abu Sha'ban (age 23) was shot dead by the Israeli occupying forces in the area of the central bus station west of Occupied Jerusalem.
- Alaa Abu Jamal (age 33) died from wounds sustained in an attack by Israeli occupying forces on 13 October 2015.

On 15 October 2015:

- Riyad Dar Yousef (age 46) was attacked, along with his family, by Israeli settlers as he tended to his olive grove in Al-Janiya. He died shortly after from a heart attack.

On 16 October 2015:

- Ihab Jihad Hanani (age 19) was shot dead by Israeli occupying forces in Nablus.
- Yahiya Farhat (age 24) was shot dead by Israeli occupying forces in the Gaza Strip.
- Mahmoud Hatim Hmeid (age 22) was shot dead by Israeli occupying forces in Gaza.
- Shawiq Jamal Jabr (age 37), who was shot by Israeli occupying forces in Gaza the previous week, died from his wounds.
- Eyad Khalil Awawdeh (age 26) was shot dead near the illegal settlement of "Kiryat Arba", in Al-Khalil.

On 17 October 2015:

- Mu'taz Owaisat (age 16) was shot and killed by Israeli occupying forces in Jabal al-Mukaber in Occupied East Jerusalem.
- Fadil al-Qawasmi (age 18) was forcefully captured by a terrorist settler in central Al-Khalil, and when Fadil tried to leave the area, the terrorist settler shot him. He was left to bleed to death by members of Israeli occupying forces who witnessed and were present at the scene.
- Bayan Ayman al-Esseili (age 17) was shot dead by Israeli occupying forces in Al-Khalil.
- Israeli occupying forces violently prevented Palestinian farmers from picking their olive trees in the village of Burin, south of Nablus.
- Omar Mohamed al-Faqih (age 24) was shot by Israeli occupying forces at Qalandiya checkpoint, north of Occupied East Jerusalem, and was left to bleed to death.
- Tareq Ziad al-Natsheh (age 22) was shot and killed by Israeli occupying forces in Al-Shuhada Street in Al-Khalil.

- More than 200 Israeli settlers, backed by Israeli occupying forces, attacked the Palestinian villages of Wad al-Haseen and Wad al-Nasara near the illegal Israeli settlement of "Kiryat Arba", in Al-Khalil. During the attack, terrorist Israeli settlers threw stones and firebombs at Palestinian homes and injured at least three people, including Imad (age 40), Abdullah (age 13) and Mohamed (age 17); Mohamed's injuries were the most serious, as he was hit in the chest with one of the firebombs.

On 18 October 2015:

- Terrorist settlers attempted to kidnap two Palestinians from Burin, south of Nablus.

- Israeli occupying forces fired tear gas canisters and stun grenades inside a boys' secondary school in Jenin while students were still inside, causing fear and panic to spread, while groups of settlers attempted to storm Yabod town, west of Jenin.

- Israeli occupying forces began installing a large concrete wall in Occupied East Jerusalem to separate the Palestinian neighbourhood of Jabal al-Mukabbir from the nearby illegal Israeli settlement of "Armon Hanatziv".

- Huda Mohamed Darwish (age 65) died from breathing difficulties due to Israeli tear gas inhalation.

On 19 October 2015:

- Over the past 19 days, the Palestinian Health Ministry has reported that 46 Palestinians, including 10 children, have been killed by Israeli occupying forces. During that same time, a Palestinian political prisoner also died of medical neglect. In addition, 1,850 Palestinians have been shot with live ammunition and rubber-coated steel bullets, with some suffering burns and others beaten and assaulted by occupying forces and settlers, while more than 3,500 have suffered the effects of tear gas inhalation.

- The Ministry of Health also reports that the occupying forces have carried out 136 attacks against medical crews since the beginning of the month, wounding 165 medics, while 39 ambulances have been hit with gas bombs and grenades. Moreover, occupying forces stopped and delayed ambulances on 32 occasions as they were attempting to transport or reach wounded Palestinian civilians, with such obstruction undoubtedly contributing to the number of fatalities.

- The health condition of two Palestinian political prisoners in Israeli jails has been deteriorating owing to deliberate medical negligence, according to the Commission of Prisoners' Affairs.

- At least nine Palestinians were left homeless after settlers escorted and protected by Israeli occupying forces forcibly evicted them from their homes in Silwan in Occupied East Jerusalem.

As violations against Palestinian children continue to multiply, we continue to insist again that the Israeli Government, the Israeli occupying forces and Israeli settler militias belong on the list of grave violators of child rights in the context of the report of the Secretary-General on children and armed conflict, and we will not relent in calling for such listing in the face of ongoing violations and crimes against our innocent and defenceless children.

Given that the occupying Power has chosen to escalate the perilous situation rather than to de-escalate it, we once again reiterate our urgent appeal to the Security Council of the United Nations to uphold its Charter duties and act to bring an end to this Israeli aggression and to protect the Palestinian civilian population. A strong message must be sent to Israel, the occupying Power, to cease immediately its military campaign and call for its occupying forces to abide by the law, disarm its settlers and citizens and hold them accountable for their crimes against the Palestinian people and their land. This will be the only way to de-escalate this dangerous situation to save lives, promote calm and revive some hope that a peaceful solution to end Israel's occupation, which would allow the Palestinian people to live in freedom and dignity in their own State of Palestine, with East Jerusalem as its capital, actually still exists.

This letter is in follow-up to our 559 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 14 October 2015 (A/ES-10/696-S/2015/790), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador and Permanent Observer
of the State of Palestine to the United Nations

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Security Council

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20 October 2015

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Letter dated 19 October 2015 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

It has come to the attention of my delegation that a draft resolution is under consideration by the Security Council to renew the mandate of the Somalia and Eritrea Monitoring Group.

The Monitoring Group has once again concluded that it had found no evidence of Eritrean support to Al-Shabaab in Somalia, and the Governments of Eritrea and Djibouti have entrusted the State of Qatar to mediate their dispute. Therefore, the two justifications for the imposition of sanctions on Eritrea are non-existent. Eritrea appeals to the Security Council to immediately and unconditionally lift the sanctions and terminate the mandate of the Group regarding Eritrea.

Notwithstanding the unequivocal conclusion by the Monitoring Group, the draft resolution under consideration by the Security Council:

(a) Attempts to expand the mandate of the Monitoring Group by including a new and ambiguous paragraph on the conflict between Eritrea and Ethiopia, under the pretext that the issue is reflected in the recent report of the Group. This justification is unacceptable. The mandate of the Group is to investigate the alleged role of Eritrea in Somalia and the border dispute between Djibouti and Eritrea, nothing more and nothing less.

The conflict between Eritrea and Ethiopia is an issue of the occupied and the occupier. It must be broached in a different forum and under a different agenda item. The Security Council must compel Ethiopia to fulfil its treaty obligations and various Security Council resolutions, and respect the Charter of the United Nations by withdrawing from sovereign Eritrean territories, including the town of Badme.

This unwarranted attempt to expand the mandate of the Monitoring Group to deal with the conflict between Eritrea and Ethiopia not only violates the letter and spirit of the Security Council resolutions but will also create a dangerous situation in the region. Ethiopia publicly admits that it is hosting, financing, arming and training several subversive Eritrean groups that intermittently unleash terrorist forays against the people of Eritrea. As recently as 7 July 2015, the Ethiopian Prime Minister, speaking to his Parliament, stated that Ethiopia would take military action against Eritrea.

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Consequently, any attempt by any country to include a new paragraph in order to expand the mandate of the Monitoring Group is a sinister political ploy and manoeuvre that must be rejected.

(b) Infringes on Eritrean sovereignty and political independence. Regarding the Eritrean financial sector, it makes unwarranted demands by completely misinterpreting the provisions of paragraph 12 of resolution 2023 (2011).

(c) Fails to factually reflect the border dispute between Djibouti and Eritrea. The Presidents of Djibouti and Eritrea have signed an agreement entrusting the State of Qatar to undertake a mediation role to reach a resolution of the border dispute and settle the issue of prisoners of war and missing persons. The Security Council, in its statement to the press dated 11 June 2010, endorsed that agreement and called upon both parties to engage in the mediation process fully and in good faith.

If any of the parties have complaints, the appropriate forum is the Government of the State of Qatar. It must be underlined that the question of Djibouti and Eritrea, including the issue of prisoners of war and missing persons, is not under the purview of the Monitoring Group's mandate.

I would be most grateful if the present letter was brought to the attention of the members of the Security Council and circulated as a document of the Council.

(*Signed*) Girma Asmerom **Tesfay**
Ambassador and Permanent Representative

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Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventieth year

Identical letters dated 21 October 2015 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I am compelled to write to you today in response to recent fabricated statements made by the new representative of Israel, the occupying Power, Danny Danon, on 16 October 2015, at the United Nations at the Security Council stakeout. Not surprisingly, the statements made, particularly with regard to the State of Palestine's school curriculum, were completely and utterly false. Danon's statements about Palestine's curriculum and textbooks and outright racist accusation that Palestinian children are "being taught to hate" are false and must be rejected.

At his very first United Nations media stakeout, documented on the United Nations Webcast, Danon stated: "When he [referring to a Palestinian child] opens a textbook to do his homework he doesn't learn about math and science, he's being taught to hate." He then picked up an image of what appeared to be a photoshopped image of human anatomy with the parts of the human body labeled, with images of knives on it along with the title "How to Stab a Jew". Danon then had the audacity to state: "This picture is being taught in middle schools, in high schools, in elementary schools."

Contrary to his false rhetoric, there have been reports that images, such as the one described above, are floating around social media platforms through personal accounts. Whether the accounts are genuine or fake is unknown; however, it appears the alleged postings are no longer accessible. In either case, one thing is abundantly clear: the fictional story Danny Danon told to the media at the stakeout was a flat-out lie. Danon seems to be living up to his reputation, which has been reported as hawkish, racist and inciteful. However, I do agree with Danon on one thing, in his very own words: "When someone presents a lie, I will stand up and expose it."

The image shown by Danon at the media stakeout is not in the Palestinian school curriculum. It is not taught to Palestinian children and youth at any level. We welcome any genuine requests to review our school curriculum and textbooks. In

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fact, the State of Palestine's school curriculum and textbooks are reviewed by the United Nations Educational, Scientific and Cultural Organization and are in large part funded by the international community.

We reject the absurd and unacceptable assertions made by Danon and the offensive claim that the Palestinian people teach their children to hate. This is typical racist rhetoric by Israeli officials, reflecting the occupying Power's relentless policy to dehumanize the Palestinian people suffering under its belligerent foreign military occupation and to distort our people's rejection of this illegal and cruel occupation as they continue to seek their freedom and inalienable rights. Rather, it is Israel that is harming our children, women and men in every aspect and every single day through countless violations of international law and affronts to their human security and human dignity. For all of these violations and crimes the occupying Power must be held fully accountable.

The present letter is in follow-up to our 560 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 19 October 2015 (A/ES-10/697-S/2015/805) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer
of the State of Palestine to the United Nations

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15 October 2015

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Report of the Secretary-General concerning the credentials of the alternate representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 15 October 2015 from the Permanent Representative of the United States of America to the United Nations stating that Ms. Sarah Mendelson has been appointed alternate representative of the United States on the Security Council.

In the opinion of the Secretary-General, that letter constitutes adequate provisional credentials.

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